

**OGILVY
RENAULT**

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Our File: 9-13528-152US KD/hb

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Number of pages including cover letter: 19
 Date: June 23, 2005
 From: Kent Daniels
 Telephone: (613) 780-86873
 E-mail: kdaniels@ogilvyrenault.com

To	Company	City	Fax
ART UNIT 2633 Examiner: Nathan M. CURS	United States Patent Office Facsimile Centre	Alexandria, VA	1.703.872-9306

Re: Serial No. 09/975,895
 Inventor(s): Kim B. ROBERTS et al.
 Title: MEASUREMENT OF POLARIZATION DEPENDENT LOSS IN AN
 OPTICAL TRANSMISSION SYSTEM

Further to my telephone conversation with Examiner Nathan CURS of today's date, please find attached a complete copy of our Response to the Office Action dated December 20, 2004.

This response was filed on April 18, 2005, as confirmed by the Auto-Reply Facsimile Transmission (copy enclosed).

We trust that the above is satisfactory and the response date remains April 18, 2005.

Heather Brown for Kent Daniels
 Patent and Trademark Assistant
 Ogilvy Renault
 (613) 780-3769
hbrown@ogilvyrenault.com

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JUN 24 2005

Barristers and Solicitors
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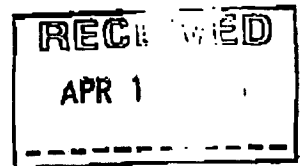
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 Ottawa, Ontario
 Canada K1P 1A4

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 Meighen Demers
 Ogilvy Renault
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Auto-Reply Facsimile Transmission



TO: Fax Sender at 613 230 6706
Fax Information
Date Received: 4/18/2005 3:21:05 PM [Eastern Daylight Time]
Total Pages: 13 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMPEP) section 306 et seq.

Received
Cover
Page
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06/23/2005 15:34 FAX 613 230 6706				OGILVY RENAULT		002	
OGILVY RENAULT				Facsimile			
Our File: 9-13528-152US				KD/hb			
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Number of pages including cover letter:				13			
Date:				April 18, 2005			
From:				Ken Daniels			
Telephone:				(613) 780-8673			
E-mail:				kdaniels@ogilvyrenault.com			
ART UNIT 2633		United States Patent Office		Alexandria, VA		1.703.872-9306	
Examiner:		Facsimile Centre					
Nathan M. CURS							
Re: Serial No. 09/975,895							
Inventor(s): Kim H. ROBERTS et al.							
Title: MEASUREMENT OF POLARIZATION DEPENDENT LOSS IN AN OPTICAL TRANSMISSION SYSTEM							
This is further to our earlier facsimile transmission of today's date forwarding our Response to the Office Action of December 20, 2004.							
It has come to our attention that the Response was not signed, therefore please find attached a signed copy of the Response.							
Heather Brown Assistant to Ken Daniels, Patent Agent Ogilvy Renault (613) 780-3769 hbrown@ogilvyrenault.com							
Page 1 of 13		OGILVY RENAULT		Facsimile		Page 1 of 13	
PAG 013 * RCVD AT 4/18/2005 3:21:05 PM [Eastern Daylight Time] * SVR:USPTO-EFXXF-415 * DNIS:8729306 * CSID:613 230 6706 * DURATION 00:04:04							

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Number of pages including cover letter: 13
Date: April 18, 2005
From: Kent Daniels
Telephone: (613) 780-86873
E-mail: kdaniels@ogilvyrenault.com

To	Company	City	Fax
ART UNIT 2633 Examiner: Nathan M. CURS	United States Patent Office Facsimile Centre	Alexandria, VA	1.703.872-9306

Re: Serial No. 09/975,895
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Heather Brown
Assistant to Kent Daniels, Patent Agent
Ogilvy Renault
(613) 780-3769
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Patent and Trade-Mark Agents

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Meighen Demery
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*** TX REPORT ***

TRANSMISSION OK

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Date: April 18, 2005
From: Kent Daniels
Telephone: (613) 780-86873
E-mail: kdaniels@ogilvyrenault.com

ART UNIT 2633 Examiner: Nathan M. CURS	United States Patent Office Facsimile Centre	Alexandria, VA	1.703.872-9306
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Re: Serial No. 09/975,895
Inventor(s): Kim B. ROBERTS et al.
Title: MEASUREMENT OF POLARIZATION DEPENDENT LOSS IN AN
OPTICAL TRANSMISSION SYSTEM

This is further to our earlier facsimile transmission of today's date forwarding our Response to the Office Action of December 20, 2004.

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/975,985	
	Filing Date	10/15/2001	
	First Named Inventor	Kim B. Roberts	
	Art Unit	2633	
	Examiner Name	Nathan M. Curs	
Total Number of Pages in This Submission	15	Attorney Docket Number	9-13528-152US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	OGILVY RENAULT	
Signature	<i>K. Daniels</i>	
Printed name	Kent Daniels	
Date	April 18, 2005	Reg. No. 44,206

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Signature	<i>K. Daniels</i>	
Typed or printed name	Kent Daniels	Date April 18, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2005		Complete if Known		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	09/975,895	
		Filing Date	10/15/2001	
		First Named Inventor	Kim B. Roberts	
		Examiner Name	Nathan M. Curs	
		Art Unit	2633	
TOTAL AMOUNT OF PAYMENT (\$)		120	Attorney Docket No.	9-13528-152US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 19-5113 Deposit Account Name: Ogilvy Renault
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
- 20 or HP =	x	=
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
- 3 or HP =	x	=
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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- 100 = / 50 = (round up to a whole number) x =

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1251 - Extension for Response within first month

Fees Paid (\$)

120

SUBMITTED BY

Signature	<i>K. Daniels</i>	Registration No. (Attorney/Agent)	44,206	Telephone	613-780-8673
Name (Print/Type)	Kent Daniels	Date	April 18, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :

Kim B. Roberts et al.

Attorney Docket No.

9-13528-152US

Serial No: 09/975,895

Group Art Unit: 2633

Filed: 10/15/2001

Examiner: Nathan M. CURS

For: Measurement of Polarization Dependent Loss in an Optical Transmission System

Assistant Commissioner for Patents
Washington, D.C. 20231

BOX - NON-FEE AMENDMENT/RESPONSE

Sir:

AMENDMENT UNDER 37 C.F.R § 1.111

In response to the Office Action mailed December 20, 2004, the one month extended period for response being April 20, 2005, please amend the application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.

06/24/2005 CCHAU1 00000066 195113 09975895
01 FC:1251 120.00 DA